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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 16 April 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Tensions continue to escalate in the Occupied Palestinian Territory, including East Jerusalem, as a result of ongoing, destructive and provocative policies and actions by Israel, the occupying Power, in particular in relation to its unlawful campaign of colonization.

In this regard, the rising and unprecedented levels of Israeli aggression towards Occupied East Jerusalem require urgent attention for such actions by the occupying Power and its settlers in the Palestinian Territory are seriously inflaming tensions and threaten combustion of the already fragile, precarious situation on the ground. If such illegal actions and provocations remain unaddressed, the consequences at the political and security levels will surely be grave. Not only do such actions have the high potential to incite violence between the two sides, but, as we have repeatedly cautioned, every single such action further threatens the prospects for actually and physically achieving the two-State solution for peace.

Occupied East Jerusalem in specific faces grave danger as Israel continues its rabid pursuit of colonization in and around the city, isolation of the city from the rest of the Occupied Palestinian Territory and the undermining of the city's indigenous demographic composition and historical and cultural heritage. In addition to the thousands of Palestinian homes already illegally destroyed by the occupying Power, thousands more Palestinians face the threat of eviction or home demolition in East Jerusalem and Palestinian institutions remain shuttered, while at the same time the illegal Israeli settlements and settler population continue to expand at unprecedented rates. Moreover, the occupying Power's illegal policies and practices in the city serve only to embolden and encourage the aggression, provocations and acts of terror that continue to be perpetrated by Israeli settlers in and around the city, against the population as well as against historical and religious sites.

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This is our fourth letter in the span of a month regarding these Israeli policies, which continue to be carried out in flagrant disrespect for and violation of the relevant United Nations resolutions and Israel's very clear obligations as an occupying Power in accordance with international law, including international humanitarian law. Indeed, the urgency of this matter and the gravity of the possible consequences if this situation continues to escalate cannot be understated.

In follow-up to previous letters on this matter, I thus wish to draw your attention to recent disturbing and provocative actions. On 12 April, the occupying Power allowed at least 50 extremist settlers to enter Al-Aqsa Mosque compound, also known as Al-Haram Al-Sharif (Noble Sanctuary). As with past such incidents, this aggressive act has the potential to seriously ignite the sensitivities not only of Palestinians but also of Arabs and Muslims around the world and to exacerbate an already volatile situation.

This was preceded by another provocative action, on 6 April, in which the Antiquities Authority of the occupying Power seized a huge stone from Al-Emara Palace, one of the Umayyad palaces, located in the external south-eastern wall of Al-Aqsa Mosque, one of the most important antiquity sites in Jerusalem. The stolen stone was then taken and placed in front of the Israeli Knesset building. In this connection, it has been recently reported that several other pieces from the historic Umayyad palaces have also been looted by the occupying Power. These recent events come in addition to decades of looting of Arab and Muslim historical monuments in Jerusalem by the occupying Power, indicative of its blatant disregard for the city's historical and archaeological status as a site of the heritage of mankind protected under international law.

At the same time, Israel continues waging its not-so-silent campaign of depopulating Palestinian neighbourhoods in East Jerusalem, targeting in particular Silwan, Sheikh Jarrah and Shu'fat refugee camp. At this time, 51 residents of the Sheikh Jarrah neighbourhood face imminent eviction from their homes. These residents live in two housing units belonging to the Al-Ghawe and Hanun families, whose legal efforts to avert this tragedy have regrettably failed. Their fate is shared by dozens of other Palestinian families, including the Al-Kurd family, who were evicted from their home in the middle of the night in November 2008, despite having ownership papers dating back decades, and who continue to fight this injustice to this day.

In another such recent incident, seven brothers, their wives and children from Al-Silwadi family living in a multi-story building in Silwan, received an order from the occupying Power to evacuate their home and the dunum of land around it in order to turn the property over to an extremist group of Israeli rabbis. This area is less than a kilometre away from Al-Bustan neighbourhood in East Jerusalem, where, as indicated in a previous letter, Israel has declared that 88 homes of 1,500 Palestinians are slated for demolition. Even refugees in East Jerusalem are not spared from this cruel campaign as the occupying Power issued, on 3 March 2009, another 55 demolition orders against Palestinian homes, specifically targeting dwellings located in Shu'fat refugee camp.

Regrettably, the above-mentioned incidents by no means constitute a new phenomenon. Since 1967, Israel, the occupying Power, has expropriated thousands upon thousands of dunums of Palestinian land in Occupied East Jerusalem. The occupying Power has done so by invoking the so-called "Basic Law on Jerusalem"

of 30 July 1980, by which it has perpetually tried to advance its efforts to illegally annex the city in contravention of international law and United Nations resolutions. In this regard, it is imperative to recall that the Security Council specifically condemned this egregious violation of international law, including the Fourth Geneva Convention, in its resolution 478 (1980), which, inter alia, reaffirms that "all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular the recent 'basic law' on Jerusalem, are null and void and must be rescinded forthwith".

Unfortunately, the international community has fallen short of taking any effective action to stop the illegal actions of successive Israeli governments in this regard, allowing for the continued undermining of the city's status and its residents and of the prospects for peace, to which the fate of Jerusalem is central. Accordingly, we are compelled to stress once again the high urgency of this matter and to reiterate the need for concerted action in accordance with international law by the international community, including, in particular, the Security Council, to put an end to these illegal Israeli actions that are gravely and may irrevocably be damaging the prospects for achieving the two-State solution and making peace a reality.

The present letter is in follow-up to our previous 337 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 8 April 2009 (A/ES-10/452-S/2009/194), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer